

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 08-02-GMS
	:	
GARY JOHNSON,	:	
	:	
Defendant.	:	

DEFENDANT'S MOTION FOR CONTINUANCE
OF SENTENCING HEARING

Defendant, Gary Johnson, by and through his undersigned counsel, Edson A. Bostic, Federal Public Defender, hereby moves this Court for an Order continuing the Sentencing Hearing in this case.

In support of this motion, Mr. Johnson avers as follows:

1. On or about April 15, 2008, Mr. Johnson appeared before this Court and plead guilty to one count of Forcibly Assaulting a Federal Employee, in violation of 18 U.S.C. § 111(a)(1) and (b). A Presentence Report was ordered and sentencing is currently set for July 30, 2008.

2. Mr. Johnson is requesting a postponement of the Sentencing Hearing because he has been hospitalized since April 19, 2008. On that date, he was found unconscious and taken to the Emergency Ward at Christiana Hospital.

3. While at Christiana Hospital, Mr. Johnson remained in a coma for approximately 3 days. Upon awakening from the coma, it was determined that Mr. Johnson had attempted suicide by ingesting all of his medicines.

4. Since about April 23, 2008, Mr. Johnson has been transferred to several hospitals, including the Veteran's Hospital in Philadelphia, Pennsylvania for treatment. The most recent update of his status reveals that he remains hospitalized and continues to receive both medical and mental health treatment.

5. Because of the above developments, Mr. Johnson has yet to be interviewed for preparation of the Presentence Report.

6. The Probation Office joins in Mr. Johnson's request for a postponement. However, counsel for the government is on vacation and, therefore, the government's position on the motion is unknown.

7. Based upon the foregoing, defendant believes that, in the interests of justice, a postponement of the Sentencing Hearing is warranted.

WHEREFORE, the Defendant, Gary Johnson, respectfully requests that this Court issue an Order postponing the Sentencing Hearing from July 30, 2008 until the middle of September 2008.

Respectfully submitted,

/s/

Edson A. Bostic, Esquire
Federal Public Defender

Attorney for Gary Johnson

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Dated: May 23, 2008

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GARY JOHNSON,	:	
	:	
Defendant.	:	

ORDER

Having considered Defendant's Motion For Postponement Of Sentencing Hearing;

IT IS HEREBY ORDERED this _____ day of _____, 2008, that
Defendant Robinson's Sentencing Hearing shall be on the _____ day of _____,
2008, at _____ a.m./p.m.

Honorable Gregory M. Sleet, Chief Judge
United States District Court